

GOVERNMENT OF TELANGANA.

ABSTRACT.

Special Protection Force, Telangana State — Representation of Sri. M. Thirupathaiah, Ex. CT-1509, Telangana Special Protection Force against the punishment of Removal from Service -- Allowed - Punishment modified — Orders — Issued.

HOME (SERVICES-III) DEPARTMENT.

G.O.RT.No. 1075

Dated: 18/12/2015

Read the following:

1. From Repn of Sri Thirupathiah, Ex. CT. No.1509 (Removed from Services), in SPF, TS, dt: Nil recd., through the Hon'ble Minister for Home vide Endt. No.1565/M(Home & labour)/15, dt: 29.9.2015.
2. Govt. Memo.No.732 (P)/Ser.III/A1/2015,Home (Ser.III) Department, Dt: 07.10.2015.
3. From the Director General, Telangana Special Protection Force, Sec'bad, Lr.No. TS SPF /A3/PR/24/2008-15, dt: 16.11 .2015.

ORDER::

In the reference 1st read above, Sri. M.Thirupathaiah, Ex. CT-1509, Telangana Special Protection Force, Hyd., has submitted a representation to the Government, requesting to set aside the punishment of “Removal from service,” for the reasons mentioned therein.

2. The Director General, T.S. Special Protection Force, Hyd., when consulted in the matter, has stated vide reference 3rd read above, that Sri. M.Thirupathaiah, Ex. CT-1509, Telangana Special Protection Force was awarded with a punishment of “Removal from Service” by the disciplinary authority ie., Commandant (TZ), SPF. Hqrs. Secunderabad, for absenting for 596 days w.e.f. 16.01.2007, till the date of issue of orders dt., 02.09.2008. Earlier the individual was passported to avail (04) days Casual Leave from 12.01.2007 to 15.01.2007, instead of reporting back for duty on 16.01.2007, FN, he became OSL from CL from 16.01.2007 FN and completed the desertion period of more than one year continuously, did not inform his whereabouts to his Superiors, and hence he was declared as deserter w.e.f. 16.01.2007 as per A.P. Police Manual, Order No. 224, Part-I, and subsequently he was awarded with the punishment of “ Removal from Service” .

3. Aggrieved with the above punishment, Sri. M. Thirupathaiah, Ex.CT. 1509, Special Protection Force, submitted his appeal petition to the Appellate Authority, ie.,DIG., A.P. Special Protection Force, requesting to set aside the punishment awarded by the Disciplinary Authority. The Appellate authority after having gone through the Appeal petition submitted by the individual and the connected records, Service particulars/ punishments particulars, considered and rejected the same vide their orders in Rc.No.A3/PR/24/SPF/2008-09(O.O.No.A-97/2009) dt.18.07. 2009.

4. Aggrieved with the above punishment, he submitted his Revision petition to the Revision Authority ie., I/c, D.G. & I.G. AP. Special Protection Force, requesting to set aside the punishment awarded by the Disciplinary authority, and the Revisionary authority, after having gone through the Revision petition with the connected records, Service particulars/ punishments particulars, had considered and rejected the same vide orders in Rc.No. A3/ PR/ 24/ SPF/2008-13, (O.O. No. A-277 /2013) dt. 09.04.2013.

5. Aggrieved with the above, Sri. M.Thirupathaiah, Ex.CT.1509, SPF., had then approached the A.P. Administrative Tribunal, Hyd., and the Tribunal, have vide their Orders dt., 24.07.2015, in O.A.No. 221 of 2014, have issued orders directing the respondents to “reinstate him into service with all consequential benefits within a period of (4) weeks. However, it is open to the respondents to pass appropriate orders for imposing lesser penalty against the applicant in accordance with the rules.”

Pto--

6. Based on the orders of the A.P. Administrative Tribunal, in O.A.No. 221 of 2014, dt., 24.07.2015, Sri. M.Thirupathaiah, Ex.CT.1509, SPF., has now represented to the Government vide ref.1st read above, for the implementation of the said orders, by setting aside the punishment of removal from service awarded by the Director General, Special Protection Force and requested to reinstate him into Service.

7. After careful examination of the matter, taking his representation and the records made available into consideration, and keeping in view the orders of the A.P. Administrative Tribunal, in O.A. No. 221 of 2014, dt. 24.07.2015, Government hereby Modify the punishment of "Removal from Service" to that of " RTSP by 2 stages for two years with cumulative effect on future increments and pension, treating the period of out of employment, as "Not on Duty".

8. The Director General, Special Protection Force, Telangana State, Hyderabad, shall take further necessary action in the matter. The records received in the reference 3rd read above are returned herewith which should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**RAJIV TRIVEDI.
PRINCIPAL SECRETARY TO GOVERNMENT.**

To,
The Director General, Special Protection Force, Telangana State, Hyderabad. (w.e.)
The Individual (through the Director General, Special Protection Force,
Telangana State. Hyderabad.)
SF/ SCs.

//FORWARDED:: BY ORDER//

SECTION OFFICER.